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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ZOYA KOVALENKO,

Plaintiff,

v.

KIRKLAND & ELLIS LLP, MICHAEL DE
VRIES, MICHAEL W. DE VRIES, P.C.,
ADAM ALPER, ADAM R. ALPER, P.C.,
AKSHAY DEORAS, AKSHAY S. DEORAS,
P.C., AND MARK FAHEY,

Defendants.

Case No. 4:22-cv-05990-HSG-TSH

**JOINT CASE MANAGEMENT
STATEMENT**

Date: April 8, 2025
Time: 2:00 p.m.
Dept.: Courtroom 2 – 4th Floor
Judge: Hon. Haywood S. Gilliam, Jr.

Plaintiff Zoya Kovalenko and Defendants Kirkland & Ellis LLP, Michael De Vries, Michael W. De Vries, P.C., Adam Alper, Adam R. Alper, P.C., Akshay Deoras, Akshay S. Deoras, P.C., and Mark Fahey (collectively, “Defendants”) jointly submit this Subsequent Case Management Statement in advance of the upcoming April 8, 2025 Case Management Conference. The parties submitted an initial Joint Case Management Statement on March 30, 2023 (Dkt. No. 81) and an Amended Joint Case Management Statement on October 2, 2024 (Dkt. No. 149). The parties now submit this Subsequent Case Management Statement. Pursuant to Local Rule 16-10(d), the parties will focus this statement only on “progress or changes since the last statement was filed”, “proposals for the remainder of the case development process” and “the parties’ views about whether using some form of ADR would be appropriate.”

A. Progress or Changes Since Last Case Management Statement Was Filed

The following constitutes the major “progress or changes” since the last Case Management Statement was filed:

- On March 7, 2025, the Court entered an order (Dkt. No. 197):
 - Denying Plaintiff’s motion to terminate Filippatos PLLC for cause, to require Filippatos PLLC to provide client file to plaintiff, and to require further briefing ex parte (Dkt. No. 171).
 - Granting in part and denying in part Filippatos PLLC’s cross-motion to withdraw as counsel and to compel arbitration, preliminary statement in opposition, and request for evidentiary hearing ex parte (Dkt. No. 177). The Court granted Filippatos PLLC’s motion to withdraw, and Parisis Filippatos, Tanvir Rahman, and Samuel Brown were all relieved as counsel for Plaintiff.
 - Extending the parties’ March, April and May 2025 discovery deadlines for 30 days, while all other deadlines remain in place.
- On March 21, 2025, Plaintiff filed a Notice of Appeal to the Ninth Circuit of the Court’s March 7, 2025 order denying her motion to terminate Filippatos PLLC for cause (Dkt. No. 203).

- On March 27, 2025 Plaintiff provided the Court with a copy of and served Defendants' counsel with the opening brief and petition for writ of mandamus she filed with the Ninth Circuit on March 27, 2025.

B. Proposals for the Remainder of the Case Development Process

The parties anticipate filing a stipulated dismissal with prejudice as to defendants Kirkland & Ellis LLP, Michael De Vries, Michael W. De Vries, P.C., Adam Alper, Adam R. Alper, P.C., Akshay Deoras, Akshay S. Deoras, P.C., and Mark Fahey pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) shortly and thus, do not believe that any further changes to the case management scheduling order is necessary at this time. The anticipated stipulation of dismissal would not encompass Plaintiff's dispute with her former counsel or the related appeal pending before the Ninth Circuit, No. 25-1995.

C. The Parties' Views About Whether Using Some Form of ADR Would Be Appropriate

Because the parties anticipate filing a stipulated dismissal with prejudice shortly, they do not believe that ADR is necessary or appropriate.

Dated: April 1, 2025

MARK R. THOMPSON
Orrick, Herrington & Sutcliffe LLP

By: /s/ Mark R. Thompson
Mark R. Thompson
Attorneys for Defendants

Dated: April 1, 2025

ZOYA KOVALENKO

By: /s/ Zoya Kovalenko
Zoya Kovalenko
Attorney for Plaintiff Zoya Kovalenko

Attestation Re Electronic Signatures

I, Mark R. Thompson, attest pursuant to Northern District Local Rule 5-1(i)(3) that all other signatories to this document, on whose behalf this filing is submitted, concur in the filing's content and have authorized this filing. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: April 1, 2025

/s/ Mark R. Thompson

Mark R. Thompson